United Nations A/HRC/WG.6/27/BRA/1

General Assembly

Distr.: General
27 February 2017

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-seventh session
1–12 May 2017

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Brazil

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GE.17-01929(E)

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I. Methodology and consultation process

1. This report assesses Brazil's compliance with the recommendations accepted during the Second Cycle of the Universal Periodic Review (UPR). The report presents information and data related to the period of 2012–2016[1].

2. In 2012, Brazil accepted 169 recommendations, having expressed partial support to ten of them[2] and the impossibility to accept one of them for being incompatible with national legislation. The information about the implementation of recommendations is organized according to themes, following as far as possible the same structure of the Addendum presented by Brazil to the UN Human Rights Council. Manifestations by civil society, universities, councils equally composed of members of civil society and government's representatives, and governmental entities have been taken into consideration in order to produce this report. The draft report was submitted to public consultation through the website of the Special Secretariat for Human Rights of the Ministry of Justice and Citizenship (SEDH), between October 21st and November 20th 2016. The consultation process included a public hearing held before the Human Rights and Minorities Commission of the House of Representatives on December 7th 2016. After the hearing, public consultation was reopened between December 8th and December 19th.

II. The legal and institutional framework for the promotion and protection of human rights in Brazil (Recommendations 6, 25, 26, 27, 28, 41, 127*)

3. Brazil monitors and assesses compliance with international human rights standards permanently. In 2016, Brazil was elected member of the Human Rights Council (HRC) for the mandate 2017-2019, when the country renewed its commitment to the promotion and protection of human rights, as well as to the strengthening of international dialogue and cooperation[3]. The execution of the Third National Human Rights Programme (PNDH-3)[4], which is in force since 2009, has been followed by an inter-ministerial committee and a working group linked to the National Human Rights Council (CNDH)[5]. In 2013, the *Observatory of PNDH-3*[6] was launched, bringing to the public information on the execution of the actions of PNDH-3.

4. In 2014, the SEDH launched the National System of Human Rights Indicators[7], which provides for monitoring and assessment of the progressive realization of human rights through a matrix of social indicators. In that same year, the Observatory of International Recommendations on Human Rights (ObservaDH)[8] – an online platform that assembles recommendations directed to Brazil within the United Nations and the Inter-American Human Rights System – was launched.

5. Some official measures to make human rights effective are noteworthy: the *Annual Socioeconomic Report of Women*, whose first edition was published in 2013[9]; the *National System of Information on Public Security, Prisons and Drugs*[10], launched in 2013; the *National University Pact for the Promotion of Respect for Diversity and for a Culture of Peace and Human Rights*[11]; cooperation initiatives with a view to promoting human rights education in the judicial branch, coordinated by the Ministry of Justice and Citizenship, SEDH and the National Justice Council (CNJ); and the creation of a Working Group to elaborate a preliminary version of a National Action Plan on business and human rights.

A. National human rights institution (Recommendations 16, 17, 18, 19, 20, 21, 22 and 23)

6. After 50 years of existence, the Council for the Defence of the Rights of the Human Person (CDDPH) was substituted by the National Human Rights Council (CNDH), according to the Law 12.986/2014. The strengthening of this body has been assured through the expansion of its attributions[12] and its further democratization, which allowed the participation of civil society with the same number of representatives as the government's institutions[13].

7. Among its main activities, the CNDH followed the trial in 2015 of those accused of the murder of the human rights defender Manoel Mattos, first case subject to displacement of jurisdiction from state to Federal Courts, according to the constitutional provision that allows it in cases involving serious violations of human rights.

8. The CNDH also carried out a mission to the site of construction of the Belo Monte Hydroelectric Power Plant, in the State of Pará, which resulted in recommendations to public bodies for compliance with the conditions to this project in accordance to the Basic Environmental Plan (PBA)[14], which has provisions related to the environment and to the respect for the human rights of indigenous peoples. Also noteworthy is the mission to the region of Doce River basin, in order to guarantee reparations by Samarco S/S to those affected by the collapse of Samarco's dam.

9. The Council has also been working with other pressing issues related to: the system to punish children and adolescents in conflict with the law; the rights of indigenous peoples, quilombolas and other traditional communities; the right to the city in the context of the Olympic Games; and the rights of the population living in the street; among other issues. In April 2016, the CNDH and the SEDH held the 12th National Human Rights Conference, which assembled more than two thousand people to discuss the construction of guidelines for human rights policies.

B. International human rights instruments (Recommendations 1, 2, 3*, 4, 5, 7, 8, 9* and 10*)

10. Brazil is a party to 16 out of 18 main human rights treaties[15]. On May 11th 2016, Brazil promulgated the International Convention for the Protection of All Persons from Enforced Disappearances and the Inter-American Convention on Forced Disappearance of Persons. The Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, signed in 2012, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families are under consideration by the National Congress[16].

11. In 2012, the VII Report to the Committee on the Elimination of Discrimination against Women (CEDAW) was submitted. In 2015, Brazil also submitted periodic reports to the Committee on the Rights of Persons with Disability and to the Committee on the Rights of the Child.

12. The signature of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights is under consideration.

13. According to the provisions of the Rome Statute of the International Criminal Court (ICC), legislation that defines organized crime has been enacted in 2013 (Law n° 12.850/2013). There are other two bills under consideration by the National Congress[17] to define the crimes inscribed in the Rome Statute and regulate judicial cooperation with the ICC[18].

14. Equal rights for domestic workers and other urban and rural workers is guaranteed by the Federal Constitution (Constitutional Amendment n° 72/2013). Although not ratified yet, the ILO Convention 189 is under consideration by a Tripartite Working Group of the Ministry of Labour.

15. Freedom of association, including freedom to join unions, theme of the ILO Convention 87, is guaranteed by article 8 of the Federal Constitution, provided that the principle of one sole union is respected[19].

C. Human rights defenders (Recommendations 31, 79*, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 141)

16. The *National Policy for the Protection of Human Rights Defenders* (PNPDDH), regulated by the Decree 6,044/2007, and the Programme to Protect Human Rights Defenders (PPDDH)[20], regulated by the Decree 8,724/2016, aim to protect any person subject to coercion or threat due to their work as human rights defenders. The PPDDH also aims to eliminate the causes of threats, mobilizing public bodies to adopt measures of investigation, prevention and protection against human rights violations and impunity.

17. The PPDDH is responsible for 349 cases accepted by the Programme, and other 500 are under evaluation. The PPDDH has signed partnership agreements with five federal states[21], while the federal team assists other states. Most of the cases are related to the right to land (114), indigenous peoples (65), quilombola communities (60) and natural environment (35). Despite efforts, there are still challenges to the protection of human rights defenders in Brazil, especially of communications professionals, rural leaders, indigenous peoples, quilombolas and environmentalists. In 2015 and 2016, the Federal Prosecutor's Office of Citizens' Rights (PFDC), the Ministry of Justice, the Ombudsman's Office of the National Foundation for Indigenous Peoples (FUNAI) and the Special Secretariat for Indigenous' Health (SESAI) attended a meeting on cases related to indigenous peoples followed by the PPDDH in Mato Grosso do Sul[22].

18. Procedures of all protection programmes in force in Brazil (PPDDH, Provita and PPCAAM) demand improvements. In 2016, for instance, it was decided that partnership agreements related to the implementation of protection programmes must observe the Federal Government Multiannual Plan as to avoid the discontinuity of the protection offered to beneficiaries of these programmes.

III. Achievements and challenges in promoting and protecting human rights in Brazil

A. Reducing poverty and promoting social equality (Recommendations 29, 30, 32, 49, 131, 132, 133, 134, 135, 136, 137, 139, 141, 142, 143, 144, 145, 150, 154)

19. Between 2004 and 2014, 36 million Brazilians were lifted out of extreme poverty[23]. The Single Registry for Social Programmes of the Federal Government (Cadastro Único) is an instrument for the poorest families to have access to public policies. Through it, poor families benefit of initiatives of the Federal, State and local Governments. Enrolment in "Cadastro Único" is a requirement to access the services provided by *Bolsa Família Programme* (PBF), which is a conditional cash transfer policy that benefits poor families[24], as well as to subsidies of Social Fee for Electric Consumption and to the Continuous Cash Benefit[25]. Nowadays, there are approximately 27 million families enrolled. In 2012, Brazil

inaugurated the International Seminar *Social Policies for Development*[26], which provides foreign delegations with an overview of the Brazilian strategies for development, such as the Bolsa Família.

20. The investment in Bolsa Família Programme amounted to R$ 28.5 billion in 2016. In December 2016, the number of benefitted families amounted to 13.57 million, and in July 2016 the average national benefit amounted to R$ 181.15 per family[27]. The cash transfer is conditioned to the enrolment of children in school. In August and September 2016, 95.25% of the 14.6 million children and youth benefitted by the Programme attended school according to the minimum frequency control[28]. In case of low attendance, possible situations of vulnerability are checked in order to provide specific services to solve any problem faced by the family concerned.

21. The *My House, My Life Program*[29], launched in 2009 by the Brazilian Federal Government, delivered more than 2.512 million houses by the year 2015[30], including accessible houses to meet the needs of persons with disabilities. In the year 2016 alone, R$ 34.9 billion were invested in families with a monthly income of up to R$ 3,650[31]. In the same year, priority was also set to benefit low income families (monthly revenues of up to R$ 1,800[32]) in which there were cases of microcephaly.

22. Among the 36 million Brazilians lifted out of extreme poverty, 22 million reached their new social status after the creation of the *Programme Brazil without Poverty Plan* (BSM)[33] in 2011. The following results achieved until 2014 are underlined: more than 1.75 million people of low income enrolled in professional training courses; approximately 900 thousand rainwater storages for consumption and production provided; and a 33% increase in the number of children benefitted by *Bolsa Família* enrolled in preschool, with the help of the programme Caring Brazil Action[34]. Regardless these initiatives, there are still challenges concerning poverty and socioeconomic inequalities, especially as far as regional inequalities and vulnerable groups, such as rural populations and indigenous peoples, are concerned.

23. In 2014, 72.6% of the population employed between 16 and 59 years old were covered by Social Security, which amounted to 65.31 million people[35]. Between 2008 and 2013, a 191.4% increase of autonomous workers enrolled in the Simplified Social Security Plan was registered. In 2013, 2.2 million people were covered. The number of low income housewives covered had a 322% increase between 2011 and 2013.

24. The number of elderly people and of people with disabilities who have been benefitted by *Continuous Cash Benefit* (BPC)[36] was 3.2 million in 2009, and achieved 4.2 million in 2015[37]. Since 2012, initiatives to provide jobs for people in situation of extreme poverty have been strengthened, such as the *National Programme for the Promotion of Access to the Labour World* (Acessuas Trabalho)[38] and the BPC Labour Programme, that targets people with disabilities between the age of 16 and 45 with the aim to enabling them to have access to apprenticeship and job placement programmes. The Programme BPC in Schools aims to eliminate barriers for access to education by children and adolescents with disabilities. This Programme made possible an increase from 30 to 70% in the inclusion of these groups in the educational system. Through Decree 8,145/2013, there was a ten-year decrease in the time of contribution required for special retirement of people with disabilities.

B. Combating slave labour (Recommendations 106, 107 and 119)

25. ILO has considered Brazil to be an example to be followed in the fight against modern slavery. Between 2013 and 2016, the Ministry of Labour (MTb) rescued more than six thousand workers from slavery-like conditions, by means of more than 500 inspection

operations[39], in all federative states[40]. There are fifteen State Commissions for the Eradication of Slave Labour, besides the Municipal Commission of São Paulo.

26. Victims of modern slavery have benefitted from measures such as unemployment insurance, access to cash-transfer programmes, the promotion of literacy and training initiatives. Between 2013 and 2016, the MTb supported more than 4,735 workers, through the transfer of R$ 8.7 million in unemployment insurances. Moreover, compensation paid to workers between 2012 and 2015 amounted to more than R$ 25 million[41]. In 2015, a cooperation agreement between CNJ, ILO, the Superior Labour Tribunal, the National Union of Labour Inspectors, MTb, SEDH, the Public Prosecutor's Labour Office and the Federal Public Prosecutor's Office was signed aiming at the reintegration of workers rescued from slavery-like conditions.

27. The Registry of Employers in Breach of Labour Laws had 609 registers in July 2014, which represented a 142.6% increase compared to 2011. In December 2014, the Federal Supreme Court (STF) ruled that the list of employers in breach of labour laws should be suspended. In May 2016, the decision was overruled. Between January 2010 and November 2015, 2,503 extrajudicial proceedings and 1,604 inquiries were opened to investigate the crime of submission of someone to slavery-like conditions. During the same period, 706 criminal charges and 10 executions of judgements were registered[42].

28. Between 2012 and 2014, the National Commission for the Eradication of Slave Labour (CONATRAE)[43] offered workshops for more than one thousand judges, prosecutors and labour inspectors regarding the fight of the crime of subjecting someone to slavery-like conditions, according to article 149 of the Brazilian Penal Code. In addition to this, the Federation's Agreement for the Eradication of Slave Labour between the Federal Government, the Governments of 13 states and the Federal District was signed in December 2016, fostering the strengthening and creation of more state commissions and state plans for the eradication of slave labour.

29. It is also important to mention the enactment of the Constitutional Amendment 81, which allowed expropriation of lands where slave labour be found.

C. Promotion of equality

People with disabilities (Recommendations 34, 35, 36, 37, 38, 39, 40, 42 and 55)

30. In 2015, Brazil passed the Law 13,146/2015, known as *Statute of Persons with Disability or Brazilian Law for Inclusion* (LBI)[44]. Among the innovations brought by this legislation, one shall mention: the creation of a benefit for social inclusion; the Civil Code's amendment regarding the recognition of legal capacity; and the improvement of legislation on physical and communicational accessibility.

31. Other benchmark policy is the *National Plan on the Rights of Persons with Disabilities – Living without Limits Plan*, of 2011. 25 states, the Federal District and circa 1,480 municipalities have joined this initiative. The results of the Plan are accessible on the website *Living without Limits Observatory*[45].

32. Through the *Accessibility Plan of Electoral Justice*, of 2012, 32 thousand voting sites were adapted to the special needs of persons with disabilities, according to data from 2014. In 2014, electoral advertisement on TV obligatory started including closed captioning and sign language.

33. The principles of UN General Assembly's Resolution 65/215 are followed by Brazil in favour of people with leprosy. Between 2007 and 2014, in accordance to Law 11,520/2007, Brazil has granted people subject to isolation and compulsory treatment more than 8.8 thousand special lifetime pensions.

34. In spite of progress in the promotion of persons with disabilities' rights, communication presented through Dial-Human Rights (Dial 100) demonstrate that complaints are still recurrent. In 2015, the SEDH's National Ombudsman's Office for Human Rights (National Ombudsman's Office) received 9,656 communications.

Elderly (Recommendations 32, 53 and 54)

35. The *National Commitment for Active Aging*[46] was established in 2013 in order to coordinate the efforts by the federal bodies in the appreciation, promotion and defence of the elderly's human rights.

36. Other protection mechanisms in place are: Special Police Station for the Elderly; and obligatory notification to the police by health professionals in cases involving violence against older people. In 2015, 32,238 complaints were registered by the Dial 100 service regarding violations of older people's rights, the second highest number.

37. It is worth mentioning the *Reference Centres for Providing Healthcare to the Elderly*, which is part of the States' Network for Healthcare to the Elderly, maintained by the Ministry of Health (MS), and the programmes *Popular Pharmacy Programme*[47] and *Better at Home Programme*[48]. Also, in 2015, Brazil signed the Inter-American Convention on Protecting the Human Rights of Older Persons.

LGBT (Recommendations 24*, 97 and 140)

38. In 2011, the Federal Supreme Tribunal recognized same-sex families, granting homosexual couples the right to civil union[49]. Based on CNJ's Resolution 175/2013, Public Civil Register Offices cannot deny the celebration of civil marriage between same-sex people or deny the conversion of civil unions into marriage.

39. The promotion of LGBT's rights still demands legislative and institutional responses, nevertheless. Discrimination against LGBT people is not considered a crime in Brazil. IBGE's data, from 2014, demonstrates that only 7.7% of 5,570 municipalities in Brazil have specific policies regarding LGBT people.

40. The *Report on Homophobic Violence*[50] is a very important subsidy for the development of Government's policies. It is a pioneering initiative coordinated by the SEDH, which brings detailed data about the profile of victims. The third edition of the report was published in 2016 with data from 2013[51]. In 2017, the fourth edition of the report will be disclosed with data from 2014 and 2015.

41. The 2016 Report indicates a context of constant violence and violation of human rights, having presented cases of homicide and robbery involving deaths against LGBT population. It is important to bear in mind that underreporting of such cases is a reality. The present scenario of negligence and violence requires from Brazil the creation of policies and legislation devoted to punish and prevent discrimination against the LGBT population.

42. The National System for the Promotion of Rights and Fight against Violence suffered by LGBT People of 2013 aims to allow the coordination of public policies[52] on all three levels of the federation. In 2014, the National Committee of LGBT Public Policies, a forum that assembles public agents from state and municipal levels in order to promote the National System, was established. In 2015, the Federal Government created the Inter-ministerial Committee to Fight Homophobia. In addition to this, there is the *National Covenant to Fight Violence against LGBT People*.

43. Through the Decree 8,727/2016, the use of social names by transgender people on official documents provided by the federal public administration was authorized. In 2016, one celebrated[53] the 15th anniversary of the National Council to Fight Discrimination and

Promote the Rights of Lesbians, Gays, Bisexuals and Transgender People (CNCD/LGBT)[54].

Gender equality (Recommendations 43, 44, 45, 46, 47, 48, 50, 51 and 52)

44. The National Plan for Policies for Women 2013-2015 (PNPM)[55] addresses, among other matters, gender equality in the labour market, women's economic autonomy, with special attention to policies of eradication of poverty and the participation of women in the development of the country.

45. Inequality between men and women in the Brazilian labour market has been reduced in the past few years. Between 2004 and 2014, the average income of women employed had an increase of 61% in real terms and, for the first time, surpassed the threshold of 70% of men's income[56]. There has been progress in women's presence in the labour market, which reached 57.3% in 2014.[57] In 2015, women corresponded to 36.4% of all entrepreneurs[58]. Although women dedicate less hours to their main occupation (35.5 hours per week for women and 41.4 hours per week for men), domestic work represents 25.2 hours per week for women and 11 hours for men – a total weekly journey of 60.7 hours for women and 52.4 hours for men.[59]

46. The majority of undergraduate and graduate students are women, whose average number of years of study is higher than men's are. In 2014, women reached the average of 8 years of study, while the result for men was 7.5 years[60]. In this same year, women represented the majority of Brazilians with a doctorate awarded abroad (60% of total)[61]. The same applies to training courses offered by the *National Programme for Access to Technical Tuition and Employment* (Pronatec)[62], in which women represented 68% of the students between 2014 and 2015.

47. In the countryside, the *National Programme for Strengthening Family Farming* (Pronaf)[63] expanded credit limits for women from R$ 50 thousand to R$ 150 thousand in 2013. Through *Safra Plan for Family Farming*, credit for women amounted to more than 562 thousand contracts during the period 2014-2015[64]. Women's participation in the *Programme for the Acquisition of Food* increased from 11.5% in 2009 to approximately 50% in 2015. The *National Programme for the Documentation of Women Working in the Countryside*[65] produced three million documents in 2015.

48. Other important results in terms of public policies for women are mentioned: the promotion of equal labour rights for domestic workers through the Constitutional Amendment 72/2013[66]; the expansion of the *Programme Pro-Gender and Racial Equity*[67]; and the expansion of social security benefits (pension for age or incapacitating condition, sickness benefit and maternity wage) in favor of low-income housewives by means of contribution based on minimum wage. The Brazilian Gender Equality Observatory[68] and the Observing Gender Panel[69] are dedicated to the systematization of data related to gender equality.

49. Elections held in 2014 indicated that women's participation increased (8,120 women or 31% of candidates) compared to the 2010 elections (5,056 women candidates or 22.43% of candidates), according to data provided by the Superior Electoral Tribunal (TSE). In spite of the affirmative action inaugurated by the Electoral Law (Law 9,504/1997, altered by Law 12,034/2009), which reserves 30% of places for female candidates, the challenge to increase the number of elected women persists.

Fighting violence against women (Recommendations 90, 91, 92, 93, 94, 95, 96, 103, 116, 138 and 140)

50. The Law 12,845/2013 regulated the obligatory and integral treatment of people who have suffered sexual assault, and the Law 13,104/2015, which defines the crime of

femicide[70] as a heinous crime. Rules and regulations[71] were introduced on guidelines for health and security professionals on attention to victims of sexual violence, and on criteria for collecting evidence of sexual violence. In addition to this, two important documents were published – *Dossier Femicide*[72] and the *National Guidelines for Investigating, Prosecuting and Trying from a Gender Perspective Those Responsible for Violent Deaths of Women – Femicide.*[73]

51. The *Programme Women Living without Violence*[74], created in 2013, consists of six strategic actions for fighting violence against women: the creation of the Brazilian Women House; the creation of Centres for Attention to Women in dry borders regions; mobile units for care for women in situation of violence in the countryside and in forests; the expansion of medical care centres for women; the organization and humanization of care provided to victims of sexual assault; and continuous awareness campaigns.

52. There has been an expansion of the assistance network to women in situation of violence.[75] Among other preventive actions, awareness campaigns were promoted between 2013 and 2015, such as: *MERCOSUR's Campaign Free from Trafficking in Women*[76]; the *Campaign Commitment and Attitude in favour of Maria da Penha Law – Law is stronger*[77]; the *Campaign of the Programme Women, Living without Violence*[78]; and the *Campaign I Care*[79].

Ethnic-racial equality (Recommendations 31, 50, 51, 138, 162)

53. Affirmative actions are promoted in Brazil based on the Racial Equality Statute[80]. At the federal level, 20% of vacancies at the civil service are allocated to afro-Brazilians[81] and more 3,000 afro-Brazilians joined the civil service in the last 2 years[82]. In federal universities and technical institutes, 50% of the vacancies are reserved for students coming from secondary public schools, with the distribution of vacancies among afro-Brazilians and indigenous people based on the proportion of such groups in the community. Vacancies allocated to afro-Brazilians grew from 37,100 in 2013 to 82,800 in 2015[83].

54. The *Programme Bolsa Permanência* (PBP)[84], established in 2013, provides financial aid to students in vulnerable socioeconomic conditions and to *quilombola* and indigenous students enrolled in federal higher education institutions.

55. The Statute established the National System for the Promotion of Racial Equality (SINAPIR)[85]. It operates based on the voluntary accession of states and municipalities. Until July 2016, 43 racial equality agencies from all regions had joined the System, and 28 others were in the process of joining it.

56. The *National Plan for the Sustainable Development of Traditional Peoples and Communities of African Descent 2013-2015*[86] aims at promoting productive inclusion, guarantee of rights and protection of cultural heritage and African tradition in Brazil. The Monitoring System of Racial Equality Policies[87], available online, provides information on the implementation of the Plan to Prevent Violence against Black Youth[88] and the Brazil Quilombola Program.

57. Socioeconomic indicators show that living conditions of afro-Brazilians have increased in the last 2 decades, as well as access to services and rights. Progress among afro-Brazilians is higher when compared to other groups. However, challenges remain[89]. In the case of *quilombola* communities, there is the additional challenge of guaranteeing land rights.

D. Indigenous people (Recommendations 31, 50, 138, 162, 163, 164, 165, 166, 167, 168, 169)

58. 817,963 indigenous peoples[90] from 305 different ethnic groups and speaking 274 languages live in Brazil[91].

59. There are 462 demarcated areas in Brazil[92]. Most of the indigenous lands (IL) are in the Amazon region. Brazil's challenge is to go forward in the regularization of ILs in the rest of the country.

60. There are 77 references to indigenous peoples in voluntary isolation in record, most in the north of Brazil. In order to guarantee their integrity, a policy based on the non-mandatory contact and on ethno-environmental protection of such groups and the territories where they live was developed. Such model acknowledges indigenous autonomy.[93]

61. The *National Policy for the Environmental and Territorial Management of Indigenous Lands* (PNGATI)[94] aims at promoting actions with a focus on the protection and conservation of ILs, guaranteeing the integrity of indigenous heritage, better living standards and the full physical and cultural development of indigenous peoples.[95]

62. Brazil promotes social and citizenship rights of indigenous peoples through inter-agencies coordination, participation and social dialogue. The *National Council of Indigenous Policy* (CNPI)[96] is a collegiate body with a consultative nature. Established in April 2016, CNPI is responsible for the development, monitoring and implementation of public policies aimed at indigenous peoples.[97]

63. ILO Convention 169 was ratified by Brazil in 2004. An Inter-agencies Working Group was established in 2012 to promote dialogue with indigenous peoples and communities with a view to providing guidance in the process that will lead to the definition of regulation on procedures and modalities for free, prior and informed consultation. A consensus has yet to be reached. Many indigenous peoples, with the support of civil society organizations, have brought elements for the development of guiding principles and procedures, through their own consultation protocols. Brazil sees it as an important contribution to better implement free, prior and informed consultation, in good faith and as a democratic instrument of indigenous protagonism.

64. Indigenous peoples remain among the most vulnerable groups within the Brazilian population when indicators such as income, child mortality, malnutrition, health, schooling and access to sanitation[98]. Brazil is implementing actions to fight nutritional and food insecurity, under-notification of births and difficulties in the access to basic documentation and social security. Regularization of civil documentation is under way, particularly in border areas, as well as active search and consultation for the inclusion of indigenous people in the Federal Government Single Registry of Social Programmes.

65. Formal education policy for indigenous peoples aims at promoting their right to an educational process based on the recognition and appreciation of social-cultural and linguistic diversity, autonomy and protagonism of indigenous peoples. Actions for the construction of adequate schools, capacity building and training of teachers, development of adequate bilingual courseware, school meals, definition of Ethno-Educational Territories and access to higher education are developed, implemented and assessed through the coordination among federal, state and local public agencies[99].

66. The National Policy of Indigenous Peoples Health Care establishes actions for integral indigenous health care and training in health, taking into account traditional indigenous health practices. Measures in planning and coordinating the sanitation initiatives and the establishment of health centres in indigenous areas were taken in coordination with states, municipalities and civil society, respecting cultural specificities and epidemiological

profiles of each indigenous people. It also took into consideration the need to strengthen communities' social participation and monitoring[100].

E. Migrants, refugees and human trafficking

Fighting human trafficking (Recommendations 98, 99, 100, 101, 102)

67. The II National Plan to Fight Human Trafficking (II PNETP)[101] seeks the prevention and repression of human trafficking, punishment of perpetrators and attention to victims. Its operative lines deal with the regulatory framework, public policies, capacity building, information sharing and public campaigns. The II PNETP involves 12 ministries and coordinates actions at federal, state and local levels, taking into account existing sectorial policies and the crosscutting nature of the fight of human trafficking. The II PNETP assessment document demonstrated an average progress of 82% in the implementation of its activities[102].

68. Law 13,344/2016 provides for the prevention and repression of domestic and international human trafficking, including human trafficking for sexual exploitation, and measures of attention to victims. It added to the Penal Code the crime of human trafficking, whose punishment is increased if the crime is committed against children, adolescents and elderly people or if the victim is taken out of the Brazilian territory. It also foresees inter-sectorial preventive measures in the fields of health, education, work, justice, tourism, culture and human rights.

Migrants and refugees (Recommendation 170)

69. In 2015, 28,670 refugee applications were filed in Brazil, a 3,000% increase when compared with 2010, when 966 applications were registered[103]. Most of the applicants come from Africa, Asia (including the Middle East) and the Caribbean. In April 2016, 8,863 recognized refugees lived in Brazil, holding 79 different nationalities[104].

70. In 2013, the National Committee for the Refugees – CONARE authorized the issuing by Brazilian consular authorities of a special visa for people affected by the conflict in Syria. In 2015, the measure was extended for 2 additional years and Brazil signed an agreement with UNHCR to enhance the visa issuing process in Lebanon, Turkey and Jordan.

71. Integration policies for refugees and migrants in Brazil were enhanced, although challenges remain. Partnerships between the Federal Government and state and local governments created reference and host centres for migrants and refugees in São Paulo, Rio Grande do Sul and Santa Catarina in 2014 and 2015. The Federal Government also signed agreements with civil society organizations in São Paulo, Rio de Janeiro and the Federal District providing financial support to assistance for refugees and refugee applicants. Brazil also implemented the *Entrepreneur Refugee Project*[105] and Portuguese courses through PRONATEC.

72. Bill 2,516/2015, currently being considered at the Parliament, will become, once approved, the new Migrants Law, replacing the Statute of the Foreigner of 1980. The Law will incorporate a human rights perspective to the issue.

73. In 2010, following the earthquake in Haiti, a significant migrant influx started, reaching, in 2015, a total of 72,406 Haitians admitted to Brazil. In 2012, a special protection category was created allowing Brazilian consular authorities to issue humanitarian visas to Haitians. Such measure was extended until 2017. Since then, 48,361 visas were issued and 51,124 residence authorizations were granted to Haitians[106].

F. Right to truth and reconciliation (Recommendations 124, 125, 126)

74. The Special Commission on Political Deceased and Missing Persons (CEMDP) was established to formally recognize persons who were killed or are missing because of acts perpetrated by public agents between 1961 and 1979. The CEMDP has already analyzed 480 requests of recognition and reparation, 362 of which have been granted. Currently, the CEMDP's actions aim at finding and identifying political missing persons. A special reference should be made to the Working Group Perus (GTP), which aims at identifying persons buried at the Dom Bosco cemetery, in São Paulo, and to the Working Group Araguaia (GTA), which aims at finding the remains of political missing persons in the area of the Araguaia River.

75. The Amnesty Commission[107] aims at providing economic reparation for victims of violations perpetrated during the military dictatorship. Since its establishment, the Commission has received 74,000 requests of reparations, of which 63,500 have been analyzed and 43,000 have been recognized as political amnestied, with or without economic reparation[108].

76. The National Truth Commission (CNV)[109] was in place between 2012 and 2014. In its final report, it recognized the systematic grave human rights violations perpetrated by State agents between 1964 and 1985[110]. CNV has also recognized 191 political deaths and 210 political missing persons, having located 33 bodies, bringing the total number of fatal victims during the dictatorship to 434. 337 people acting on behalf of the State were identified as perpetrators.

77. The report presented 29 recommendations, underlining the need for institutional reforms, legal measures and follow-up of CNV action. Such recommendations aim at guaranteeing follow-up of investigation and reparation actions, as well as non-repetition measures.

78. In order to guarantee victims' right to justice, ten penal procedures were initiated by the Federal Public Prosecutor Office (MPF) based on juridical theses affirming that the Amnesty Law[111] and prescription period are not applicable to crimes against humanity and that kidnapping and concealing of body can be defined as having a permanent nature. It is important to note that applicability of the Amnesty Law is still under consideration by the Brazilian Supreme Court.

G. Freedom of expression and internet law (Recommendation 130)

79. Brazil's Internet Bill of Rights[112] is a cornerstone, both because of its negotiating process – in which civil society played an important role[113] – and of its substance – principles and rules for Internet use in the country. Its following articles must be highlighted: article 8, which guarantees the rights to privacy and freedom of expression as a condition for the full enjoyment of the right to Internet access; and articles 3 and 9, that guarantee Internet neutrality in Brazil. In addition, the Cybercrime Law[114] was enacted in 2012. Remaining challenges refer to the effectiveness of the legal framework and to progress in other related areas, as the discussions in Parliament on data protection[115] and consumer rights and guarantees.

H. Judicial system and access to justice (Recommendations 31, 110, 111, 112, 113, 114, 115, 116, 117, 118, 121)

80. In 2013, Constitutional Amendment 74 granted to the Office of the Union Public Defender functional, administrative and budgetary autonomy. In 2014, Constitutional

Amendment 80 established an eight-year deadline to the Union, states and the Federal District for the provision of public defenders in all their jurisdictional units[116].

81. Average annual budget of state public defender's offices went from R$ 68 million in 2009 to R$ 137 million in 2014. R$ 102 million of such amount comes from the Federal Treasury. Annual budget of the Union Public Defender's Office went from R$ 96 million in 2008 to R$ 365 million in 2014. The average number of public defenders per federate unit went from 190 in 2008 to 227 in 2014. There are, however, regional disparities[117].

82. Efforts to enhance access to justice must also be mentioned: adoption of Law 12,726/2012, which established itinerant courts in low inhabited areas or to deal with conflicts in rural areas[118]; Law 13,140/2015, which adopted mediation as a means of dispute settlement and conflict resolution within the public administration; signing, in 2013, of the Protocol to Reduce Barriers of Access to Justice for Black Youth in Situation of Violence; the *Safer Brazil Programme* to abbreviate inquiries and judicial procedures; establishment in courts of Permanent Centres of Consensual Methods for Dispute Settlement[119]; the *Full Justice Programme*, which provides for full access to procedures of social interest[120]; the *Open Justice Programme*[121]; and the *Project for Diagnosis and Strengthening of State Justice*[122]. Since 2014, the National Council of Justice (CNJ) exclusively uses electronic judicial procedures, abbreviating its length and reducing costs[123]. In 2014, most of the complaints addressed to the CNJ Ombudsman mentioned the length of procedures in the Brazilian justice[124].

83. Seeking to strengthen the human rights culture within the judicial system, the Federal Government and the CNJ launched in 2016 the I National Contest of Judicial Rulings on Human Rights, whose categories took into account the most vulnerable groups in the society.

84. It is also important to underline the *National Strategy to Fight Corruption and Money Laundering* and international judicial cooperation actions in the fields of penal law, civil law and repatriation of assets, as well as Law 12,846/2013, which brings legal entities to account in the administrative and civil spheres for acts perpetrated against national or foreign public administrations.

85. Law 12,694/2012 defines a series of protective measures in favour of judges and public prosecutors. Currently, there are actors in the justice system under protection in the context of the PPDDH.

1. Preventing and combating torture (Recommendations 11, 12*, 13, 14, 15, 31, 59, 63, 64, 120, 122, 123)

86. In 2013, Brazil established the *National System for the Prevention and Combat of Torture*[125]. It comprises four bodies: the National Committee for the Prevention and Combat of Torture (CNPCT)[126]; the National Mechanism for the Prevention and Combat of Torture (MNPCT)[127]; the National Penitentiary Department; and the National Council of Criminal and Penitentiary Policy. The MNPCT is formed by 11 autonomous and independent experts, with a three-year mandate. The CNPCT is the body for civil society participation in the policy of prevention and combat against torture[128]. At state level, there are 18 committees and 2 mechanisms in place[129].

87. The MNPCT has the legal competence to inspect places of detention, without previous notice, in order to assess protocols and proceedings. It makes reports with recommendations to public authorities. Since the beginning of its activities, in 2015, the MNPCT has inspected approximately 50 detention places in 11 different states and in the Federal District. Its reports are available at the SEDH's website[130]. Between April 2015 and

March 2016, the MNPCT has issued 813 recommendations, 65% of which on the prison system, 20% on the system to punish children and adolescents in conflict with the law and 15% on mental health units[131].

88. Based on the Istanbul Protocol, the CNJ has regulated custody hearings[132]. It has reaffirmed such hearings as a means to prevent and combat torture and has created basic proceedings that need to be followed by judges.

89. The reports of the 2011 visit of the Subcommittee for the Prevention of Torture (SPT) to Brazil were made public in July 2012 and March 2014, followed by the Government's responses, respectively in February 2013 and March 2014. In 2015, Brazil received visits of the Special Rapporteur on Torture and the SPT. In spite of significant legal and institution progress, challenges remain in making existing policies and legal framework effective, as well as in fighting overcrowding and precarious detention conditions.

J. Public safety and extrajudicial killings (Recommendations 31, 59, 61, 62*, 65, 101, 103, 110, 120, 122, 123)

90. The *National System of Information on Public Safety, Prisons and Drugs* (SINESP)[133] aims at gathering, standardizing and treating data related to drugs, public safety, the prison system and criminal justice produced by all federate members[134].

91. Taking into account the need to strengthen guidelines for the reduction of police killings because of excessive use of force, Law 13,060/2014 promotes priority use by security agents of instruments with lower offensive potential. The Executive branch has also submitted to the Parliament Bill 5,124/2016, which deals with criminal forensics and the inquiry in cases where the use of police force results in deaths or injuries. A resolution issued in 2015 by the National Council of Public Prosecutors (CNMP) establishes basic proceedings for the work of public prosecutors in the external monitoring of investigations on deaths resulting from the use of police force. In some states, the Office of the Public Prosecutor has created special units to investigate occurrences of violence and excessive use of police force.

92. In the same line, CDDPH's (currently CNDH) Resolution 08/2012 recommends the end of the so-called "resistance reports" or "resistance followed by death" in police reports. Resolution 06/2013 deals with human rights guarantee and non-violence in the context of public assemblies, as well as in the fulfillment of judicial orders aiming at maintaining or repossession. The Federal Government promotes the strengthening of internal audit bodies in charge of monitoring security agents' actions. The National Forum of Police Ombudsmen (FNOP), linked to the SEDH, puts forward proposals to enhance the work of security and social defense agents in the promotion and protection of human rights. To that end, it develops monitoring and complaint follow-up tools; favours autonomy and independence of state police ombudsmen; and promotes the establishment of ombudsmen offices.[135]

93. The Safer Brazil Programme, established in 2012 aims at reducing violent criminality based on cooperation between the Union and federal states. The Programme seeks to enhance investigative procedures; strengthen ostensible policing; bringing the State closer to the population; broader cooperation among public safety institutions, the prison system and the criminal justice system[136].

94. The Plan to Prevent Violence against Black Youth foresees preventive actions to reduce vulnerability of young afro-Brazilians ranging between 15 and 29 years old to

situations of physical and symbolic violence. Priority is given to states with higher murder rates, as well as 142 municipalities that concentrated 70% of murders registered in 2010.

95. *In spite of the progress observed*, reducing murders resulting from gun violence, whose main victims are black poor youth, remains a challenge[137].

K. Prison system (Recommendations 65 to 78 and 110)

96. The *National Survey on Penitentiary Data* (INFOPEN)[138], of 2016, shows that the penitentiary population in Brazil reached 622,202 persons in December 2014. 40% of the inmates are provisional prisoners. Brazil acknowledges the need to give priority to guaranteeing inmates' rights, as established in *United Nations Standard Minimum Rules for the Treatment of Prisoners* (Mandela Rules), which are not yet adequately translated into public policies[139].

97. Since 2013, DEPEN has been promoting policies to stimulate alternative punishment measures to incarceration[140]. In 2016, the *National Policy of Alternative Punishment* was launched[141]. Alternative measures can be applied to replace preventive incarceration and at time of the sentence's execution. Implementation of such public policies are key elements to promote the necessary positive change in Brazilian prison units[142].

98. The MS, together with the MJC, launched in 2014 the *National Policy of Integral Health Care to People Deprived of Their Freedom in the Prison System* (PNAISP)[143]. It aims at offering universal and equal access to health services for people deprived of their freedom. The *Service of Assessment and Follow-Up of Therapeutic Measures Applied to People with Mental Disease in Conflict with the Law* (EAP)[144] aims at adapting care standards to the singularities and needs of each case.

99. According to INFOPEN[145], overcrowding in the Brazilian prison system stems from the increase, during the last decade, in the number of provisional detention and incarceration related to drug trafficking. Having the occupation rate of 161% as a backdrop, an increase of over 50% in the number of existing vacancies would be necessary to overcome such deficit[146]. This scenario not only affects inmates' rights, but also makes the implementation of public policies more complex.

100. The implementation of the *Custody Hearings Programme*[147], based on the Mandela Rules, represents an important step forward. The programme allowed for the implementation of such hearings in all states in order to guarantee that every citizen arrested in *flagrante delicto* is quickly presented before a judge who will assess the need for maintaining his/her detention, as well as identify possible signs of torture, ill-treatment or other illegal acts. It is also foreseen the creation of electronic monitoring centres, social assistance and services centres and penal mediation chambers[148].

101. Data from the CNJ shows that the Custody Hearings Programme resulted in a 50% reduction in the number of provisional detentions[149]. This is an essential initiative, especially in view of INFOPEN 2016 data that show that the rate of deaths per 100 thousand people among the prison population in Brazil is 95.23, more than three times the average rate of the Brazilian population (29.1)[150]. Such figure indicates that there are concerning flaws in the prison system related both to structural, sanitary and health conditions and to physical violence and overcrowding.

102. Ombudsman offices are an important element within the system. The National Ombudsman of the Prison System's Office, established under the DEPEN structure, received in 2013 a monthly average of 2.1 thousand communications. Most of them were complaints referring to negligence, ill-treatment, torture and degrading treatment.

103. DEPEN is also broadening and enhancing training of federal and state penitentiary agents. Training includes sessions on human rights, prison intelligence, safety in prisons and crises management. Since its establishment, in 2012, the National School of Penal Services has already offered 40 thousand vacancies[151].

104. In 2016, *DEPEN Information System* (SISDEPEN)[152] was included in INFOPEN. SISDEPEN is a national digital platform to follow-up penal executions, precautionary detentions and safety measures. It allows for the development of individualized profiles of people deprived of their freedom. It aims at preventing inappropriate extension of detention measures. According to INFOPEN 2015, approximately 60% of provisional detainees were in custody awaiting trial for more than 90 days.

105. Offering job opportunities and education is another issue of concern. The Penal Execution Law establishes that people who were sentenced in an enclosed or semi-open regime can reduce part of their detention time in exchange of work or education activities. However, INFOPEN 2016 shows that only 11% of detainees are involved in formal education activities and 20% in work related activities.

106. CNJ launched in 2012 the *Female Detainee Booklet*[153] aiming at providing guidelines to the female prison population on their rights. In 2014, DEPEN, SPM and state secretariats established the *National Policy of Attention to Women Deprived of their Freedom and Former Inmates* (PNAMPE)[154]. It will benefit more than 37 thousand female inmates[155]. Considering that between 2000 and 2014 there was a 567% increase in the female prison population, which is higher than the increase of the general prison population[156], such initiatives are especially important.

107. In conformity with the *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders* (Bangkok Rules), Brazil implements policies to enhance women's conditions within the criminal and prison system, as well as actions dedicated to pregnancy and maternity in prisons. Law 12,962/2014 guarantees periodic visits of children and adolescents to their detained parents and ensure that detained parents will not be deprived of their family power. The current scenario shows the need to advance in this area, since, for example, only 34% of female prisons and 6% of male-female units have adequate cells for pregnant women and only 5% of female units have day-care facilities whereas none of the male-female units offers such service.

L. Children and adolescents (Recommendations 33, 98, 99, 103, 138 and 140)

108. The 1990 *Child and Adolescent Statute* (ECA) is a legal landmark for the comprehensive protection of children and adolescents. The ECA's 25th Anniversary Report[157] (2016) highlights the achievements in this area, but also recognizes current challenges. Examples are the level of schooling amongst teenagers and high adolescents' homicide rates, especially among young black males[158]. According to the National Ombudsman's Office, violations against children and adolescents constitute the majority[159] of cases reported through the Dial 100 service.

109. State action in this area is also guided by the 2011 *10-Year Plan for the Rights of Children and Adolescents*. The *National Policy on the Rights of Children and Adolescents* informs the functioning of the *System of Guarantee of the Rights of Children and Adolescents* (SGD)[160] and is included in the *National Multiannual Plan for 2016-2019*[161].

110. The Brazilian Government has developed strategies to engage various stakeholders, such as the *Convergence Agenda for the Integral Protection of the Rights of Children and*

Adolescents[162], *Live Young*[163], and the *Constitution Charter of Strategies in Defence of the Rights of Children and Adolescents*[164].

111. The Convergence Agenda has innovated by creating an application for smartphones called *Protect Brazil*[165], which enables people to report violations online, and by launching the campaign *Respect, Protect and Guarantee – All Together for the Rights of Children and Adolescents*[166], which aims to raise awareness about the need to monitor and report any suspected violation of rights.

112. New legislation has been implemented, such as: Law 13,010/2014, which establishes the right of children and adolescents to be educated and cared for without the use of physical punishment or cruel or degrading treatment; and Law 12,978/2014, which establishes that enabling sexual exploitation of children or adolescents is a heinous crime; and Law 13,257/2016, which establishes public policies for early childhood.

113. Other important initiatives to fight the sexual exploitation of children and adolescents are: the revision of the 2013 *National Plan to Fight Sexual Violence against Children and Adolescents* (PNEVSCA)[167] and the ongoing implementation of the *Integrated and Reference Actions Programme* (PAIR)[168]. Efforts to advance the protection are still fundamental: in the first months of 2016, 4,953 cases were reported via Dial 100[169].

114. The ECA and the Law 1,594/2012, which established the *National System of Socio-Educational Assistance* (SINASE)[170], constitute the legal framework for the implementation of measures aimed at minors who break the law. The 2015 report from the National Public Prosecutor's Council[171] highlights the current challenges of this system, such as: overcrowding; lack of infrastructure for educational and vocational training; facilities below standard; and insufficient provision of health care. The current challenges therefore include the full implementation of the ECA and the SINASE Law directives, as well as other public policies[172].

Child labour (Recommendations 104, 105 and 109)

115. Between 1992 and 2015, the number of children and adolescents working has decreased from 5.4 million to 1.1 million, according to data from the *National Household Sample Survey* (PNAD), which represents a decline of 80%.

116. The Constitution Charter, coordinated by the SEDH, presents four strategic axes of policy, of which one is aimed specifically at eradicating child labour[173].

117. From 2013 onwards, the *Child Labour Eradication Program* (PETI)[174] incorporated the benefits of the *Unified Social Assistance System* (SUAS)[175], which aims to accelerate the actions established on the *National Plan for the Prevention and Eradication of Child Labour and Protection of the Adolescent Worker*[176] and on the Constitution Charter. The PETI aims to remove people under 16 from the labour market by financially supporting lower income families and by offering guidance through services[177] such as the *Service of Coexistence and Strengthening of Links* (SCFV)[178].

118. In 2013, Brazil hosted the III Global Conference on Child Labour, reaffirming its commitment to combat child labour. In 2014, Brazil signed the Declaration of the Constitution of the Latin American and Caribbean Regional Child Labour Free Initiative[179].

Homeless children (Recommendations 108 and 109)

119. Since 2012, the National Secretariat for the Promotion of the Rights of Children and Adolescents (SNPDCA) has been engaging with civil society and has encouraged the participation of street children in the discussions. This coordination aims to guarantee, within the *National Policy for Homeless People*[180], special attention to children and adolescents.

120. The Specialized Centres for Social Assistance (CREAS)[181] and the Specialized Centres for Homeless People support street children and adolescents and provide specialized and continuous guidance to individuals and families whose rights may have been violated.

121. In 2016, the National Council for Social Assistance (CNAS) and the National Council for the Rights of Children and Adolescents (CONANDA) approved the Joint Resolution 1[182], which includes specific guidelines for the assistance, education and healthcare of street children in the *Reception Services for Children and Adolescents*.

122. The Reception Services[183] offer actions aimed at children and adolescents who are under protective measures by judicial order, who have had their rights violated and who do not receive care from their families[184].

Birth registration (Recommendations 128 and 129)

123. The Brazilian Government is committed to giving everyone access to birth certificates[185] with its *National Mobilization for Birth Certificates*[186] initiative.

124. In the past five years, the national average of unregistered children declined by more than 50%. The percentage of children that were not registered kept falling: it was 20.9% in 2002, 12.2% in 2007, 6.6% in 2010 and only 1% in 2014, according to IBGE's data.

125. This achievement derives from the implementation of specific public policies, such as: the establishment of registry offices in health clinics and hospitals; the establishment of state and municipal committees to implement the birth registration policies; the establishment of the *National Civil Registry Information System* (SIRC)[187]; campaigns to raise awareness; and the expansion of indigenous people's birth registration[188].

M. Right to health (Recommendations 146, 147, 148, 149*, 151 and 152)

126. The *Systemic Inspection Report*, published by the Brazilian Court of Audit (TCU) in 2014[189], found that overcrowding of hospital emergencies, insufficient numbers of health professionals and infrastructure deficiencies are some of the Brazilian national health service's problems. In a report published in 2016[190], the TCU reported concern about delays in cancer treatments and the increase in the number of people seeking public health care outside their home state.

127. The *National Policy of Primary Attention* (PNAB)[191], in 2015, was responsible for expanding the health care coverage in Brazil: more people now have access to the *Family Health Teams* (SF) and the *Community Health Professionals* (ACS). In 2016, the Family Health Strategy was present in 5,481 municipalities[192]. In addition, 66.44% of the population had access to the ACS services.

128. Within the scope of the *Stork Network* (RC)[193], membership reaches 248 health regions. More than 98% of the Brazilian municipalities have joined the Network and have been improving attention to prenatal, childbirth and the puerperium. In 2016, 1091 neonatal units were qualified: 209 Neonatal Intensive Care Units, 709 Conventional Neonatal Intermediate Care Units and 173 Kangaroo Neonatal Intermediate Care Units (NICU).

129. In 2012, the MS published the *Protocol for the Use of Levonorgestrel in Emergency Hormonal Contraception*[194], a strategic input in preventing unwanted pregnancies and consequently unsafe abortions. Brazil has made significant progress in this area and, between 1990 and 2013, the number of deaths linked to childbirth and pregnancy was reduced by 43%[195].

130. Brazil is one of the 62 countries that have achieved the reduction target set in the Millennium Development Goals regarding infant mortality[196]. Between 1990 and 2012, the infant mortality rate diminished approximately 70%, reaching 14.6 deaths per 1,000 births[197].

131. Combating child malnutrition is another important objective of Brazilian public policies. In 2014, the NutriSUS strategy[198] was launched with the objective of improving the quality of food available to children from 6 months to 3 years old and 11 months by adding micronutrients to the meals offered in day-care centres. The first phase of NutriSUS' implementation included 1,717 municipalities, 6,864 day-care centres and 330,376 children[199].

132. From 2003 to 2014, there was a 9% decrease in the rate of HIV contamination in the country[200]. However, data from the 2016 MS's Epidemiological Bulletin shows that there was an increase of HIV/AIDS contamination amongst specific groups: pregnant women (2.7 per 1000 in 2015) and young people aged 15 to 19 (between 2006 and 2015, the rate amongst this age group tripled). This new scenario reaffirms the importance of continuing the fight against the HIV/AIDS epidemic, with the implementation of the Paris Declaration and of programmes such as "Live Better Knowing" and "Young Leaderships".

N. Right to adequate food (Recommendations 147 and 153)

133. The 2014 World Food Insecurity Report, published by the Food and Agriculture Organization (FAO), shows that Brazil has significantly reduced hunger, malnutrition and undernourishment. Brazil left the "Hunger Map" and the Undernourishment Prevalence Index (POA) reached a level lower than the statistical limit of 5%[201].

134. The *National Strategy for the Promotion of Breastfeeding and Healthy Complementary Feeding in the National Health Service – The Brazilian Breastfeeding Strategy* (EAAB)[202] – aims to promote, protect and support breastfeeding and healthy complementary feeding for children under 2 years old and to improve the skills and abilities of primary health care professionals.

O. Right to education (Recommendations 156*, 157, 158, 159, 160 and 161)

135. In 2014, the *National Education Plan 2014-2024* (PNE)[203] was launched, with 20 goals that include, among others, guaranteeing quality basic education and reducing inequalities. The goals for 2015 and 2016 have not yet been reached, which demonstrates the need for further efforts by the Brazilian Government. The 2015 *International Programme for Student Assessment* (PISA)[204] showed that almost half of the Brazilian students assessed are below the level of learning considered adequate in science, mathematics and reading.

136. In 2016, the result of the *Basic Education Development Index* (IDEB)[205] was published[206]. In 2015, the IDEB indicated that Brazil exceeded the target for the initial years of Elementary School[207]. However, in the final years of elementary education and in high school, IDEB's national goals were not reached.

137. Modernizing Secondary Education is one of the Brazilian Government's priorities. In September 2016, new legislation[208] was proposed to restructure and expand Secondary Education. It is currently under discussion in the National Congress.

138. Illiteracy among young people and adults in Brazil declined from 12.4% in 2001 to 8.0% in 2015, according to PNAD. In the 15-19 age group, the 2015 PNAD recorded an illiteracy rate of 0.8%, much lower than the general average. MEC provides technical and

financial assistance for alphabetization projects developed by states and municipalities that integrate the programme *Literate Brazil*[209].

139. Regarding Youth and Adult Education (EJA), between 2008 and 2012, 6.7 million young people and adults were benefited by Literate Brazil. According to SECADI 2014's report[210], the illiteracy rate fell by 2.2% compared to 2006. In absolute terms, however, the total number of illiteracy in this group declined from 14.5 million to 13.2 million. This demonstrates the relevance of the *National Programme of Youth Inclusion* (Projovem)[211], which reached more than 300,000 young people from urban areas, between 2012 and 2014, and 37,000 from the countryside, in 2014. It is important to note the difference between the illiteracy rate in rural and urban areas. The index in the cities is 6.3%, but in the rural areas it reaches 20.1%.

140. In recent years, the number of pre-school children (4–5 years old) enrolled in basic education has increased 17%. There has also been a steady progress in the same period in access to basic education for children and young people aged 4 to 17: from 89.5% to 93.6% between 2005 and 2014[212].

141. The *National Programme for Education in Agrarian Reform* (Pronera)[213], which supports development projects for agrarian reform areas, guaranteed formal education to 164,000 people in almost two decades by financing 320 courses in 880 municipalities[214].

142. Brazil is committed to human rights education and has been promoting the following public policies and programmes in this field: National Human Rights Education Plan (PNEDH); support to the National Committee on Human Rights Education; Human Rights Education Committees in the states and municipalities; capacity-building courses on Human Rights Education for professors and basic education professionals; Human Rights Award and the National Prize for Human Rights Education; implementation of the National Guidelines for Human Rights Education[215]; and the National University Pact.

P. Environment (Recommendation 155)

143. Between 2004 and 2015, the annual rate of deforestation in the Legal Amazon area reduced by approximately 78%, according to the Ministry of the Environment (MMA) and the Ministry of Science, Technology, Innovation and Communications (MCTIC). This is the result of the Action Plan for Prevention and Control of Deforestation in the Amazon Region (PPCDAm), launched in 2004.

144. The National Policy on Climate Change (PNMC)[216] set the goal of reducing deforestation in the Amazon region by 80% in relation to the average deforestation between 1996 and 2005 and 40% in the Cerrado area, in relation to the period from 1999 to 2008. In 2015, the reduction of deforestation in the Amazon region was approximately 68%, while in the Cerrado more recent data indicates a reduction close to the target.

145. Brazil ratified the Paris Agreement in 2016 and is committed to reducing carbon emissions by 37% by 2025 and by 43% by 2030[217]. This demonstrates the firm commitment of the Brazilian State to the environment. At national level, the challenge of implementing public policies and environmental laws[218] persist. An example is what happened in the city of Mariana, Minas Gerais, in 2015.

Q. Major construction works and sporting events (Recommendations 56, 57 and 58)

146. Human rights violations can occur during major infrastructure projects and big sporting events. In 2017, a working group will be created, with the participation of civil

society and government, with the objective of evaluating successful legislations, policies and practices[219] with a view to drafting a national action plan on business and human rights.

147. The preparation and hosting of the 2013 FIFA Confederations Cup, the 2014 FIFA World Cup and the Rio 2016 Olympics and Paralympics represented an important challenge to Brazil. The success of these events was due to the integrated work of the Brazilian federal government with all the cities involved.

148. Infrastructure[220] investments for the 2014 World Cup totalled R$ 27.1 billion. According to the Ministry of Sports[221], 36 of the 44 mobility projects were completed in the host cities.

149. In accordance with the General Law of the World Cup (Law 12,663/2012), all sporting events of 2013 and 2014 were the target of a campaign to promote racial equality entitled "Cup without Racism"[222].

150. The 2016 Olympics and Paralympics have left an important legacy for the city of Rio de Janeiro[223]. The infrastructure works[224] revitalized the city (total investment of R$ 30 billion).

151. The 2016 Olympics and Paralympics' legacy is important for the promotion of human rights. The Brazilian Government has invested over R$ 4 billion to expand the country's sport infrastructure and to create the National Training Network, which is aimed at training new generations of athletes[225]. Part of the investment was allocated to the implementation of the Centre for Initiation to Sport (CIE)[226], which 285 projects benefit 263 Brazilian municipalities.

Notes

[1] A thematic matrix of recommendations is attached to this piece.

[2] Recommendations 3, 9, 10, 12, 24, 62, 79, 127, 149 and 156 were partially supported by Brazil. Throughout the Report, recommendations partially accepted are those marked with an asterisk (*). Moreover, it is important to highlight that, in 2012, Brazil did not support recommendation 60 and expressed compliance with recommendation 167.

[3] Letter dated 22 March 2016 from the Permanent Representative of Brazil to the United Nations addressed to the President of the General Assembly (A/71/78).

[4] Approved by Decree no. 7037/2009 and modified by Decree no. 7177/2010, the PNDH-3 is legally binding.
http://www.sdh.gov.br/assuntos/direito-para-todos/programas/pdfs/programa-nacional-de-direitos-humanos-pndh-3. Accessed September 8, 2016.

[5] See Section II, item A of the present Report.

[6] http://www.pndh3.sdh.gov.br. Accessed August 15, 2016.

[7] http://snidh.sdh.gov.br. Accessed August 17, 2016.

[8] http://www.observadh.sdh.gov.br. Accessed August 17, 2016.

[9] http://www.spm.gov.br/central-de-conteudos/publicacoes/publicacoes/2015/livro-raseam_completo.pdf. Accessed August 15, 2016.

[10] http://www.sinesp.gov.br. Accessed August 15, 2016.

[11] The University National Pact for the Promotion of the Respect to Diversity and for a Culture of Peace and Human Rights, an initiative of the Ministry of Justice and Citizenship (MJC), through the Special Secretariat on Human Rights (SEDH), and of the Ministry of Education (MEC), through the Secretariat of Continuous Education, Alphabetization and Diversity (SECADI) was concluded in November 2016. By December 2016, 17 institutions had acceded to the University National Pact for the Promotion of the Respect to Diversity and Culture of Peace and Human Rights: the United Nations Population Fund; the Organization of Ibero-American States; the Latin American School of Social Sciences; Council of Brazilian University Rectors; National Association of Directors of Higher Education Federal Institutions; National Association of Private Universities; National Association of

University Centers; Brazilian Association of Community Colleges; Brazilian Association of Supporting Institutions of Higher Education; Brazilian Committee of Organizations Representative of People with Disabilities; National Federation of Pestalozzi Associations; Federal University of Rio Grande do Norte; State University of Goiás; University of the City of São Paulo; University of Santo Amaro; School of Technology Jardim; and Dignity Group.

[12] Within the National Council on Human Rights, there were created Permanent Commissions referring to i) Rights of the Street Population; ii) Rights of the Population Deprived of Liberty; iii) Right to Communication and Liberty of Expression; iv) Human Rights Defenders and Combating the Criminalization of Social Movements; v) Right to the City; Right to Adequate Food; vi) Human Rights and Public Security; vii) Rights of Indigenous peoples, Quilombolas, Traditional Peoples and Communities, Populations Affected by Big Enterprises and Rural Workers involved in Land Conflicts. A work group has also been created about the population affected by the burst of the dam owned by mining company *Samarco* at the *Doce* river basin.

[13] Resolution no. 1992/54 of March 3, 1992, of the United Nations Human Rights Commission.

[14] For additional details about the PBA, visit http://www.ibama.gov.br/licenciamento-ambiental/processo-de-licenciamento.

[15] http://indicators.ohchr.org/. Accessed September 12, 2016.

[16] Regarding the rights of migrants, it is worth noting that Brazil is a party to regional treaties on this theme, such as Mercosur Agreement on Free Movement of Persons and Residence, and Mercosur Plan for Facilitating the Circulation of Workers.

[17] Draft bills 301/2007 and 4.038/2008.

[18] Two draft bills currently pending before the National Congress – Draft Bill 301/2007 and 4.038/2008 – improve the definition of crimes stated in the Rome Statute and regulate the judicial cooperation with the International Criminal Tribunal. For additional details, visit http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=343615 and http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=410747.

[19] The Article 8, Subsection II, of the Federal Constitution states that it is prohibited to create more than one union, at any level, representing a professional or economic category, in the same territorial base.

[20] http://www.sdh.gov.br/assuntos/combates-as-violacoes/programas/copy_of_ppddh-programa-de-protecao-aos-defensores-de-direitos-humanos. Accessed September 16, 2016.

[21] States of Minas Gerais, Espirito Santo, Ceará, Pernambuco and Maranhão.

[22] The demands involve issues related to the demarcation of indigenous lands and joint actions to minimize the violations; actions aimed at guaranteeing the physical integrity of leaders and other members of indigenous communities; installation of cameras and security equipment at the village Terra e Aldeia Moreira; actions aimed at minimizing social vulnerabilities and the lack of access to health services and education, as well as actions that generate a positive impact on the demarcation of indigenous lands and on the mediation of conflicts.

[23] Brazil met the "A" goal of Millennium Development Goal 1 (to reduce extreme poverty by half the 1990 level by 2015), before the deadline and at a higher level than stipulated. By reducing extreme poverty to less than one-seventh of the 1990 level (from 25.5% to 3.5% in 2012), Brazil was one of the countries that contributed most to the global reach of this goal.

[24] http://mds.gov.br/assuntos/bolsa-familia/o-que-e/como-funciona/como-funciona. Accessed September 29, 2016.

[25] http://mds.gov.br/assuntos/assistencia-social/beneficios-assistenciais/bpc. Accessed December 23, 2016.

[26] The Ministry of Social and Agrarian Development (MDSA) inaugurated the International Seminar Social Policies for Development. The seminar took place abroad for the first time in 2015, in Expo Milano.

[27] http://www.brasil.gov.br/cidadania-e-justica/2016/07/bolsa-familia-comeca-a-ser-pago-com-reajuste-de-12-5. Accessed October 20, 2016.

[28] http://www.brasil.gov.br/cidadania-e-justica/2016/10/governo-verifica-frequencia-escolar-de-14-milhoes-de-alunos-do-bolsa-familia. Accessed October 20, 2016.

[29] http://www.brasil.gov.br/infraestrutura/minha-casa-minha-vida. Accessed September 29, 2016.

[30] http://www.brasil.gov.br/infraestrutura/2015/05/minha-casa-minha-vida-atinge-3-857-milhoes-de-moradias. Accessed October 20, 2016.

[31] Source: Ministry of Cities (http://www.cidades.gov.br/)

[32] http://www.brasil.gov.br/infraestrutura/2016/07/entenda-o-que-mudou-no-minha-casa-minha-vida. Accessed October 20, 2016.

[33] http://mds.gov.br/assuntos/brasil-sem-miseria. Accessed September 29, 2016.

[34] http://www.mds.gov.br/webarquivos/publicacao/brasil_sem_miseria/cadernodegraficosbsm-35anos.pdf. Accessed September 9, 2016.

[35] http://www.previdencia.gov.br/wp-content/uploads/2013/05/Informe_Novembro_2015_Web.pdf. Accessed September 29, 2016.

[36] The BPC is an individual, non-life and non-transferable benefit, which ensures a monthly transfer of 1 (one) minimum wage to the elderly, 65 (sixty-five) years old and more, and to the disabled person of any age. In both cases, they must prove that they have no means of guaranteeing their own livelihood, nor have they provided for their family. The monthly family income per capita must be less than ¼ (one quarter) of the current minimum wage.

[37] http://www.mds.gov.br/webarquivos/arquivo/assistencia_social/boletim_BPC_2015.pdf

[38] The National Program for the Promotion of Access to the Work Market (Acessuas Trabalho), which aims to promote the access of Social Assistance users to work through the articulation of public policies, mobilization, sensitization and referral to opportunities for productive inclusion, with follow-up and support from program and service staff.

[39] http://trabalho.gov.br/component/content/article?id=3848. Accessed September 30, 2016.

[40] http://trabalho.gov.br/fiscalizacao-combate-trabalho-escravo/resultados-das-operacoes-de-fiscalizacao-para-erradicacao-do-trabalho-escravo. Accessed September 30, 2016.

[41] http://trabalho.gov.br/fiscalizacao-combate-trabalho-escravo/resultados-das-operacoes-de-fiscalizacao-para-erradicacao-do-trabalho-escravo. Accessed September 30, 2016.

[42] http://www.mpf.mp.br/atuacao-tematica/ccr2/coordenacao/comissoes-e-grupos-de-trabalho/escravidao-contemporanea-migrado-1/notas-tecnicas-planos-e-oficinas/Nota%20Tecnica%20no%202-2015.pdf. Accessed October 6, 2016.

[43] Created by Decree on July 31, 2003, CONATRAE aims to coordinate and evaluate the implementation of the actions foreseen in the National Plan for the Eradication of Slave Labor. It is also the responsibility of the Commission to monitor the drafting of bills in the National Congress and to evaluate the proposal of studies and research on slave labour in the country.

[44] This Law is destined to assure and promote, in equally condition, the exercise of rights and fundamental liberties by people with disabilities, aiming their social inclusion and citizenship. The Law has as a base the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

[45] http://www.sdh.gov.br/assuntos/pessoa-com-deficiencia/observatorio. Accessed September 12, 2016.

[46] The *National Commitment for Active Aging* was instituted by Decree 8.114/2013. http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2013/Decreto/D8114.htm.

[47] http://portalsaude.saude.gov.br/index.php/o-ministerio/principal/secretarias/sctie/farmacia-popular. Accessed September 20, 2016.

[48] http://portalsaude.saude.gov.br/index.php/cidadao/acoes-e-programas/melhor-em-casa. Accessed September 20, 2016.

[49] http://www.stf.jus.br/portal/cms/verNoticiaDetalhe.asp?idConteudo=178931. Accessed September 20, 2016.

[50] http://www.sdh.gov.br/assuntos/lgbt/dados-estatisticos. Accessed September 20, 2016.

[51] http://www.sdh.gov.br/assuntos/lgbt/dados-estatisticos/Relatorio2013.pdf. Accessed September 20, 2016.

[52] An example of public policy is the transfer of economic resources to states and municipalities to build LGBT Reference Centres dedicated to fighting violence against this population and to the offer of psychological and legal assistance to victims.

[53] The anniversary was celebrated during the I National Seminar of Social Control and LGBT Policies.

[54] http://www.sdh.gov.br/noticias/2016/setembro/seminario-nacional-de-controle-social-e-politicas-publicas-lgbt-comemora-15-anos-de-atuacao-de-atuacao-do-conselho. Accessed October 7, 2016.

[55] http://www.spm.gov.br/assuntos/pnpm/publicacoes/pnpm-2013-2015-em-22ago13.pdf

[56] http://www.ipea.gov.br/portal/images/stories/PDFs/nota_tecnica/160309_nt_24_mulher_trabalho_marco_2016.pdf. Accessed October 7, 2016.

[57] http://www.ipea.gov.br/portal/images/stories/PDFs/nota_tecnica/160309_nt_24_mulher_trabalho_ma

rco_2016.pdf. Accessed October 7, 2016.

[58] http://www.bibliotecas.sebrae.com.br/chronus/ARQUIVOS_CHRONUS/bds/bds.nsf/4ec07253fa008eb297c4585b988b0a43/$File/7216.pdf.
http://www.bibliotecas.sebrae.com.br/chronus/ARQUIVOS_CHRONUS/bds/bds.nsf/cd949ce3599faa1e095bea15e2ac8ba5/$File/5861.pdf. Accessed October 6, 2016.

[59] According to the Panel Observing Gender, based on data from PNAD 2014. http://painelobservagenero.mmirjdh.gov.br/dashboard.html#/layout/tema2.

[60] http://www.ibge.gov.br/home/estatistica/pesquisas/pesquisa_resultados.php?id_pesquisa=40. Accessed October 4, 2016.

[61] http://www.brasil.gov.br/educacao/2016/03/mulheres-sao-maioria-entre-brasileiros-com-doutorado-no-exterior. Accessed October 7, 2016.

[62] http://portal.mec.gov.br/pronatec. Accessed September 20, 2016.

[63] http://www.mda.gov.br/sitemda/secretaria/saf-creditorural/sobre-o-programa. Accessed October 4, 2016.

[64] http://www.brasil.gov.br/cidadania-e-justica/2015/07/contratos-da-agricultura-familiar-crescem-9,4. Accessed October 4, 2016.

[65] http://www2.planalto.gov.br/noticias/2015/05/conheca-o-programa-nacional-de-documentacao-da-trabalhadora-rural/image_view_fullscreen. Accessed October 4, 2016.

[66] By 2014, there were about 6.4 million domestic workers. Of this total, 92% are women, 65% of whom are black women. According to data from PNAD 2014.

[67] 124 thousand companies participate in the *Programme Pro-Gender and Racial Equity*, besides public entities. The program keeps a direct dialogue with medium and large companies, public and private, covering traditionally male niches, such as the electric, financial and petrochemical sectors, with the objective of developing new conceptions in the areas of human resource management and corporate organizational culture, creating a new paradigm in labour relations based on gender and race equality and addressing all forms of discrimination. See: http://www.spm.gov.br/assuntos/mulher-e-trabalho/programa-pro-equidade-de-genero-e-raca. Accessed October 4, 2016.

[68] The Brazilian Gender Equality Observatory works with 10 thematic areas: Economic autonomy and equality in the world of work; Education for equality and citizenship; Women's integral health, sexual rights and reproductive rights; Combating all forms of violence against women; Women in places of power and decision-making; Sustainable development with economic and social equality; Valuing diversity and coping with multiple forms of inequality; Communication and culture; Sport; and Use of Time. http://www.observatoriodegenero.gov.br.

[69] The Observing Gender Panel presents a diagnosis and monitoring of seven thematic axes relevant to women's policies (demographic structure, economic autonomy, health, education, violence, power and decision, institutional mechanisms), with possible specifications on gender, race, urban area and rural areas. http://painelobservagenero.mmirjdh.gov.br/index.html.

[70] When homicide is committed against women for gender reasons, considered as such when the crime involves domestic and family violence, contempt or discrimination against women.

[71] Inter-ministerial Ordinance No. 228/2016 and the Ordinance GM 1662/2015.

[72] http://www.agenciapatriciagalvao.org.br/dossies/feminicidio/
In partnership with the Campaign Commitment and Attitude, the digital platform brings together information, legislation, data and statistics, as well as expert evaluation, to deepen the debate on femicide and the necessary deconstruction of the gender and racial discrimination that lies behind thousands of crimes against life.

[73] http://www.compromissoeatitude.org.br/wp-content/uploads/2016/04/Diretrizes-Nacionais-Feminicidio.pdf
The document is the result of the process of adaptation of the Latin American Protocol for the Investigation of Violent Deaths of Women by Gender Reasons - Femicide / Feminicide (UN, 2014) into the social, cultural, political and legal reality of Brazil, carried out with the collaboration of an Interagency Working Group composed of ten professionals - police chiefs, criminal experts, prosecutors, public defenders and judges.

[74] http://www.spm.gov.br/assuntos/violencia/programa-mulher-viver-sem-violencia. Accessed September 20, 2016.

[75] The number of specialized units which provide services for such situation has increased from 332 in

2003 to 1,055 in 2015, including: (i) 502 police stations dedicated to giving attention to women; (ii) 45 public defender's offices for women; (iii) 95 specialized public prosecutor's offices; (iv) 238 reference centres for women support; (v) 80 shelters; and (vi) 103 special courts for cases of domestic violence. This network has 762 services of attention to people in situation of sexual violence, according to data from 2016 provided by the National Registry of Health Establishments.

[76] http://www.mercosur.int/innovaportal/v/6958/9/innova.front/mercosul-livre-do-trafico-de-mulheres. Accessed October 7, 2016.

[77] http://www.compromissoeatitude.org.br/. Accessed October 7, 2016.

[78] http://www.spm.gov.br/assuntos/violencia/programa-mulher-viver-sem-violencia. Accessed October 7, 2016.

[79] http://www.brasil.gov.br/cidadania-e-justica/2014/05/campanha-eu-ligo-e-aplicativo-clique-180-incentivam-denuncias. Accessed October 7, 2016.

[80] Law 12,288/2010.

[81] Law 12,990/2014.

[82] http://www.seppir.gov.br/central-de-conteudos/noticias/estatuto-da-igualdade-racial-completa-seis-anos-precisamos-avancar-mais-1. Accessed October 20, 2016.

[83] http://www.seppir.gov.br/central-de-conteudos/noticias/estatuto-da-igualdade-racial-completa-seis-anos-precisamos-avancar-mais-1. Accessed October 20, 2016.

[84] http://permanencia.mec.gov.br/. Accessed September 20, 2016.

[85] Regulated in Decree 8,136/2013.

[86] http://www.seppir.gov.br/portal-antigo/arquivos-pdf/plano-nacional-de-desenvolvimento-sustentavel-dos-povos-e-comunidades-tradicionais-de-matriz-africana.pdf/view. Accessed September 20, 2016.

[87] Launched in 2013.

[88] Plano Juventude Viva.

[89] http://www.seppir.gov.br/central-de-conteudos/publicacoes/pub-pesquisas/situacao-social-da-populacao-negra-por-estado-seppir-e-ipea. Accessed December 26, 2016.

[90] 502,783 indigenous peoples live in the countryside and 315,180 live in urban areas.

[91] http://www.funai.gov.br/index.php/indios-no-brasil/quem-sao? Accessed December 28, 2016.

[92] There are 426 traditionally occupied indigenous lands and 36 indigenous reserves. According to: http://www.funai.gov.br/index.php/nossas-acoes/demarcacao-de-terras-indigenas. Accessed December 28, 2016.

[93] There are 12 ethno-environmental protection fronts (FPEs) to assist in the geographic definition and monitoring of references to isolated indigenous peoples, monitoring and protection of the territories where they live (approximately 15 million ha in the Amazon) and following-up of policies dedicated to such groups.

[94] Decree 7,747/2012.

[95] The main actions of the *National Policy for the Environmental and Territorial Management of Indigenous Lands* (PNGATI) are: development and implementation of Plans for Environmental and Territorial Management of Indigenous Lands (PGTAs); promotion of indigenous participation and social control in social-environmental policies; coordination with federal, state and local environmental agencies for management of ILs; training of indigenous and non-indigenous managers; support for the implementation of payment mechanisms for environmental services; support to conservation and environmental reconstruction projects in ILs, mainly focused on solid waste management, recuperation of degraded areas and environmental management.

[96] Established by Decree 8,593/2015.

[97] The *National Council of Indigenous Policy* (CNPI) is formed by 15 members with voting rights representing the Executive Branch; 28 members representing indigenous peoples and indigenous organizations, 13 of which with voting rights; and 2 members with voting rights representing indigenist entities.

[98] http://biblioteca.ibge.gov.br/visualizacao/periodicos/95/cd_2010_indigenas_universo.pdf. Accessed December 26, 2016.

[99] The *II National Conference on Indigenous School Education* is scheduled to take place in November 2017 with the goal of building proposals for the consolidation of the National Policy for Indigenous School Education; reaffirming the right to a school bilingual/multilingual education especially designed for indigenous people; and broadening dialogue for the development of a specific collaborating model for indigenous school education, strengthening indigenous peoples protagonism.

See: http://www.funai.gov.br/index.php/comunicacao/noticias/3928-noticia1. Accessed December 28, 2016.

[100] http://portalsaude.saude.gov.br/index.php/conheca-a-secretaria-sesai. Accessed December 28, 2016.

[101] http://www.justica.gov.br/sua-protecao/trafico-de-pessoas/publicacoes/anexos/ii-plano-nacional-1.pdf. Accessed September 21, 2016.

[102] http://www.justica.gov.br/noticias/secretario-nacional-de-justica-avalia-acoes-do-ii-plano-nacional-de-enfrentamento-ao-trafico-de-pessoas. Accessed October 7, 2016.

[103] http://www.justica.gov.br/noticias/brasil-tem-quase-9-mil-refugiados-. Accessed October 4, 2016.

[104] The main groups are from Syria (2,298), Angola (1,420), Colombia (1,100), Democratic Republic of Congo (968) and Palestine (376).

[105] http://www.justica.gov.br/noticias/projeto-refugiado-empreendedor-tem. Accessed October 4, 2016.

[106] http://obmigra.mte.gov.br/index.php/relatorio-anual/itemlist/category/74-2016. Accessed December 23, 2016.

[107] Law 10,559/2002.

[108] http://www.justica.gov.br/noticias/comissao-de-anistia-agiliza-analise-de-processos-e-divulga-lista-de-beneficiados. Accessed September 22, 2016.

[109] The National Truth Commission (CNV) was established by Federal Law 12528/2011. The Law is available at: http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/lei/l12528.htm.

[110] Including against peasants and indigenous people. http://www.cnv.gov.br/. Accessed October 4, 2016.

[111] Law 6,683/1979.

[112] Law 12,965/2014. http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2014/lei/l12965.htm. Accessed August 15, 2016.

[113] http://pensando.mj.gov.br/marcocivil/a-importancia-do-marco-civil-e-seu-historico/. Accessed September 20, 2016.

[114] Law 12,737/2012.

[115] Bill No. 5.276/2016 on personal data, discussed within the Thinking about the Law initiative of the Ministry of Justice and Citizenship, is available on the link: http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=2084378.

[116] http://www.ipea.gov.br/sites/images/downloads/mapa_defensoria_publica_no_brasil_19_03_paginas_separadas.pdf. Accessed September 11, 2016.

[117] https://www.anadep.org.br/wtksite/downloads/iv-diagnostico-da-defensoria-publica-no-brasil.pdf. Accessed September 2, 2016.

[118] http://www.ipea.gov.br/agencia/images/stories/PDFs/relatoriopesquisa/150928_relatorio_democratizacao_do_acesso.pdf. Accessed August 31, 2016.

[119] Resolution 125/2010 of the National Council of Justice.

[120] http://www.cnj.jus.br/programas-e-acoes/justica-plena. Accessed August 31, 2016.

[121] http://www.cnj.jus.br/programas-e-acoes/justica-aberta. Accessed August 31, 2016.

[122] http://www.cnj.jus.br/pesquisas-judiciarias/projeto-de-diagnostico-e-fortalecimento-da-justica-estadual. http://www.cnj.jus.br/images/programas/justica-plena/relatorio_justicaplena.pdf. Accessed August 31, 2016.

[123] http://www.cnj.jus.br/tecnologia-da-informacao/processo-judicial-eletronico-pje. Accessed August 31, 2016.

[124] http://cnj.jus.br/files/conteudo/arquivo/2016/10/b8f46be3dbbff344931a933579915488.pdf. Accessed December 26, 2016.

[125] Law 12,847/2013, regulated by Decree 8,154. http://www.sdh.gov.br/assuntos/prevencao-e-combate-a-tortura/sistema-nacional-de-prevencao-e-combate-a-tortura. Accessed August 16, 2016.

[126] http://www.sdh.gov.br/sobre/participacao-social/comite-nacional-de-prevencao-e-combate-a-tortura/representantes/composicao. Accessed August 16, 2016.

[127] http://www.sdh.gov.br/sobre/participacao-social/sistema-nacional-de-prevencao-e-combate-a-tortura-snpct/mecanismo/mecanismo-nacional-de-prevencao-e-combate-a-tortura-mnpct. Accessed August 16, 2016.

[128] In December 2016, the President appointed 11 representatives of the Federal Government and 12 representatives of the civil society for the Committee's 2016-2018 mandate. http://www.sdh.gov.br/noticias/2016/dezembro/presidencia-nomeia-novos-membros-do-comite-

nacional-de-prevencao-e-combate-a-tortura-cnpct. Accessed December 28, 2016.

[129] Committees: (1) Acre, (2) Rondônia, (3) Pará, (4) Goiás, (5) Piauí, (6) Ceará, (7) Rio Grande do Norte, (8) Paraíba, (9) Pernambuco, (10) Alagoas, (11) Bahia, (12) Maranhão, (13) Espírito Santo, (14) Rio de Janeiro, (15) Paraná, (16) Rio Grande do Sul, (17) Minas Gerais and (18) Sergipe. Mechanisms: Rio de Janeiro and Pernambuco. The states of Paraíba, Alagoas, Espírito Santo, Sergipe and Maranhão created mechanisms, which have not been implemented yet. The state of Rondônia opened positions and will initiate the selection process soon.

[130] http://www.sdh.gov.br/assuntos/prevencao-e-combate-a-tortura/sistema-nacional-de-prevencao-e-combate-a-tortura/mecanismo-nacional-de-prevencao-e-combate-a-tortura. Accessed August 16, 2016.

[131] http://pfdc.pgr.mpf.mp.br/temas-de-atuacao/tortura/relatorios-mnpct/relatorio-anual-2015-2016. Accessed December 28, 2016.

[132] Resolution 213/2015. http://www.cnj.jus.br/busca-atos-adm?documento=3059. Accessed August 17, 2016.

[133] Law 12.681/2012. http://www.sinesp.gov.br. Accessed August 15, 2016.

[134] The National Secretariat of Public Safety (SENASP/MJC) is in charge of compiling data since 2004.

[135] Ombudsman Offices of 21 out of the 26 federal states and the Federal District are represented in FNOP. http://www.sdh.gov.br/sobre/participacao-social/forum-nacional-de-ouvidores-de-policia-fnop. Accessed August 17, 2016.

[136] http://www.justica.gov.br/sua-seguranca/seguranca-publica/programas-1/brasil-mais-seguro. Accessed August 15, 2016.

[137] http://flacso.org.br/files/2016/08/Mapa2016_armas_web.pdf. Accessed December 29, 2016.

[138] http://www.justica.gov.br/seus-direitos/politica-penal/infopen_dez14.pdf/@@download/file. Accessed December 22, 2016.

[139] http://www.cnj.jus.br/files/conteudo/arquivo/2016/05/39ac8bd20856fbc4a1b025abc3944ba2.pdf. Accessed December 23, 2016.

[140] Alternative penalties consisting of restriction of rights, such as providing services to the community or to public entities, weekend jail time and temporary interdiction of rights can be applied in place of prison sentences. Precautionary measures other than prison (such as house arrest, suspension of the exercise of public duties, electronic monitoring, among others), the protective measures of the Maria da Penha Law (such as removal from home and prohibition of contact or approach with the victim); as well as criminal transaction and conditional suspension of the process, conciliation, mediation and restorative justice techniques are other alternative penalties.

[141] http://www.justica.gov.br/noticias/ministerio-da-justica-institui-politica-nacional-de-alternativas-penais. Accessed August 17, 2016.

[142] http://www.justica.gov.br/noticias/mj-divulga-primeiro-diagnostico-nacional-sobre-monitoracao-eletronica-de-pessoas/RelatorioMonitoracaoEletronica.pdf. Accessed December 23, 2016.

[143] http://dab.saude.gov.br/portaldab/pnaisp.php. Accessed August 17, 2016.

[144] The Service of Evaluation and Monitoring of Therapeutic Measures Applied to the Person with Mental Disorder in Conflict with the Law, present in 24 of the 27 states of the federation, was established by Portaria GM / MS nº 94/2014.
http://bvsms.saude.gov.br/bvs/saudelegis/gm/2014/prt0094_14_01_2014.html.

[145] http://www.justica.gov.br/seus-direitos/politica-penal/infopen_dez14.pdf/@@download/file. Accessed December 22, 2016.

[146] http://www.justica.gov.br/seus-direitos/politica-penal/relatorio-depen-versao-web.pdf. Accessed December 22, 2016.

[147] http://www.cnj.jus.br/busca-atos-adm?documento=3059. Accessed September 19, 2016.

[148] Bill 554/2011, currently pending before the Senate, deals with the custody hearing and amends paragraph 1 of Article 306 of Decree-Law 3.689/1941, a provision of the Brazilian Criminal Code of Procedure. Https://www25.senado.leg.br/web/atividade/materias/-/materia/102115. Accessed October 6, 2016.

[149] http://www.cnj.jus.br/files/conteudo/arquivo/2016/09/0a99a0ab0cb26b964dcaf5290dec09b.pdf. Accessed December 23, 2016.

[150] http://www.justica.gov.br/seus-direitos/politica-penal/infopen_dez14.pdf/@@download/file. Accessed December 22, 2016.

[151] http://www.justica.gov.br/seus-direitos/politica-penal/politicas-2/escola-nacional-de-servicos-penais.

Accessed August 15, 2016.

[152] http://www.sindepen.justica.gov.br. Accessed August 15, 2016.

[153] http://www.cnj.jus.br/images/programas/comecar-de-novo/publicacoes/cartilha_da_mulher_presa_1_portugues_4.pdf. Accessed October 7, 2016.

[154] http://www.justica.gov.br/seus-direitos/politica-penal/politicas-2/mulheres-1/anexos-projeto-mulheres/doc-basilar-politica-nacional-versao-final.pdf. Accessed October 7, 2016.

[155] http://www.justica.gov.br/seus-direitos/politica-penal/relatorio-mdh. Accessed September 22, 2016.

[156] https://www.justica.gov.br/noticias/estudo-traca-perfil-da-populacao-penitenciaria-feminina-no-brasil/relatorio-infopen-mulheres.pdf. Accessed December 23, 2016.

[157] http://www.sdh.gov.br/assuntos/biblioteca-on-line/criancas-e-adolescentes/publicacoes-2016/pdfs/relatorio-avaliativo-eca. Accessed December 21, 2016.

[158] The ECA's 25th Anniversary Report shows that there is a significant gap between the educational level and the age of young Brazilian adolescents. According to data from 2013, approximately one third of 15 to 17 year olds finished elementary school and less than 2% of them finished high school. Approximately 93% of 12 to 14 year olds partially completed elementary school and less than 4% finished it. The Report also indicates data from the Map of Violence 2013, which states that homicides are the leading cause of death for adolescents, mainly young black males, residents of suburbs and metropolitan areas of urban centers.

[159] According to the National Ombudsman Office's annual report, in 2015, there were more than 80,000 complaints.

[160] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/programas/fortalecimento-de-conselhos/garantia-de-direitos-da-crianca-e-do-adolescente. Accessed September 22, 2016.

[161] http://www.planejamento.gov.br/assuntos/planeja/plano-plurianual.

[162] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/agenda-de-convergencia. Accessed September 22, 2016.

[163] http://www.brasil.gov.br/cidadania-e-justica/2014/03/ministerio-disponibiliza-edital-para-programa-viva-jovem. Accessed December 23, 2016.

[164] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/carta-de-estrategias. Accessed September 22, 2016.

[165] http://www.promejorbrasil.com.br/br/. Accessed September 22, 2016.

[166] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/campanha-escpa. Accessed September 22, 2016.

[167] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/programas/enfrentamento-a-violencia-sexual/metas-do-programa-nacional-de-enfrentamento-da-violencia-sexual-contra-criancas-e-adolescentes-pnevsca. Accessed December 21, 2016.

[168] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/programas/enfrentamento-a-violencia-sexual/programa-de-acoes-integradas-e-referenciais-de-enfrentamento-a-violencia-sexual-infanto-juvenil-no-territorio-brasileiro-pair. Accessed December 21, 2016.

[169] http://www.sdh.gov.br/noticias/2016/maio/disque-100-recebe-quase-cinco-mil-denuncias-de-violencia-sexual-contra-criancas-e-adolescentes-nos-primeiros-quatro-meses-de-2016. Accessed December 21, 2016.

[170] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/programas/sistema-nacional-de-medidas-socioeducativas/sistema-nacional-de-atendimento-socioeducativo-sinase-1. Accessed December 21, 2016.

[171] http://www.cnmp.mp.br/portal/images/stories/Destaques/Publicacoes/Um_Olhar_mais_Atento_02.07_WEB-completo-ok-1_1.pdf. Accessed December 21, 2016.

[172] An example of policy is the National Policy on Attention to the Health of Adolescents in Conflict with the Law, in a Regimen of Internment and Temporary Internment (PNAISARI). More details here:
http://bvsms.saude.gov.br/bvs/publicacoes/politica_nacional_adolescentes_conflito_com_lei.pdf. Accessed December 23, 2016.

[173] http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/carta-de-estrategias. Accessed September 22, 2016.

[174] http://mds.gov.br/assuntos/cadastro-unico/o-que-e-e-para-que-serve/programa-de-erradicacao-do-trabalho-infantil-peti.

[177] http://www.brasil.gov.br/cidadania-e-justica/2015/06/sistema-unico-de-assistencia-social-completa-10-anos. Accessed September 26, 2016.

[178] http://trabalho.gov.br/fiscalizacao-combate-trabalho-infantil/comissao-nacional-de-erradicacao-do-trabalho-infantil-conaeti/plano-nacional-de-prevencao-e-erradicacao-do-trabalho-infantil-e-protecao-do-adolescente-trabalhador. Accessed September 26, 2016.

[179] Services like these are currently being offered in 4,917 Brazilian municipalities.

[180] http:// http://mds.gov.br/assistencia-social-suas/servicos-e-programas/servicos-de-convivencia-e-fortalecimento-de-vinculos. Accessed September 26, 2016.

[181] http://www.mecnarra.a2023ads.org/wtm-default/files/pictures/DM-pt.pdf. Accessed September 26, 2016.

[182] http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2009/Decreto/D7053.htm.

[183] http://mds.gov.br/assistencia-social-suas/unidades-de-atendimento. Accessed September 26, 2016.

[184]

http://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=20/12/2016&jornal=1&pagina=61&totalArquivos=80. Accessed December 23, 2016.

[185] http://mds.gov.br/assistencia-social-suas/unidades-de-atendimento/unidades-de-acolhimento/servicos-de-acolhimento-para-criancas-adolescentes-e-jovens. Accessed September 26, 2016.

[186] In addition to the Reception Services, homeless children and young people can also count on the Basic Social Protection of SUAS.

[187] The National Commitment for the Eradication of Civil Birth Sub-registration and expansion of access to Documentation was instituted by Decree no. 6,289/2007.

[188] http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2007/Decreto/D6289.htm.

[189] http://www.saude.gov.br/assistencia/direitos-para-todos/programas/promocao-. Accessed September 26, 2016.

[190] http://www.sisc.gov.br/. Accessed December 23, 2016.

[191] CNJ Joint Resolution No. 3/2012.

[192]

http://portal.tcu.gov.br/lumis/portal/file/fileDownload.jsp?fileId=8A8182A2561DF3F50156BDC27F49428/9&inline=1. Accessed December 22, 2016.

[193]

http://portal.tcu.gov.br/lumis/portal/file/fileDownload.jsp?fileId=8A8182A2561DF3F50156BDC27F49428/9&inline=1. Accessed December 22, 2016.

[194] http://dab.saude.gov.br/portaldab/pnab.php. Accessed September 13, 2016.

[195] http://dab.saude.gov.br/portaldab/historicos_cobertura_sf.php. Accessed September 23, 2016.

[196] http://dab.saude.gov.br/portaldab/epe_resultados.php. Accessed September 23, 2016.

[197] http://bvsms.saude.gov.br/bvs/publicacoes/protocolo_utilizacao_levonorgestrel.pdf. Accessed October 7, 2016.

[198] http://www.brasil.gov.br/saude/2014/05/taxa-brasil-reduz-mortalidade-materna-em-43-de-1990-a-2013. Accessed August 4, 2016.

[199] http://www.brasil.gov.br/cidadania-e-justica/2015/09/brasil-cumpre-meta-de-reducao-da-mortalidade-infantil. Accessed August 4, 2016.

[200] This rate is close to the level accepted by the World Health Organization (WHO) of 10 deaths per 1,000 births.

[201] http://dab.saude.gov.br/portaldab/pnc.php?conteudo=numeros. Accessed September 13, 2016.

[202] http://portalsaude.saude.gov.br/index.php/relatorios-de-gestao. Accessed July 28, 2016.

[203] http://www.aids.gov.br/publicacao/2015/boletim-epidemiologico-aids-e-dst-2015. Accessed October 6, 2016.

[204] http://www.fao.org/hunger/en/. Accessed September 27, 2016.

[205] http://bvsms.saude.gov.br/bvs/publicacoes/estrategia_nacional_promocao_aleitamento_materno.pdf. Accessed July 28, 2016.

[206] http://www.observatoriodopne.org.br/uploads/referencias/file/439/documento-referencia.pdf.

[207] http://pne.mec.gov.br/images/pdf/pne_conhecendo_20_metas.pdf. Accessed December 22, 2016.

[208]

http://download.inep.gov.br/acoes_internacionais/pisa/resultados/2015/pisa2015_completo_final_baix

a.pdf. Accessed December 22, 2016.

[205] IDEB is an indicator that aggregates the school flow and the means of performance in tests.

[206] http://portal.inep.gov.br/web/portal-ideb/o-que-e-o-ideb. Accessed October 7, 2016.

[207] http://ideb.inep.gov.br/resultado/resultado/resultadoBrasil.seam?cid=1500787. Accessed October 7, 2016.

[208] http://www.brasil.gov.br/educacao/2016/09/estrutura-curricular-e-a-base-do-novo-ensino-medio-reforca-secretario-de-educacao. Accessed October 7, 2016.
http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2016/Mpv/mpv746.htm.

[209] http://portal.mec.gov.br/programa-brasil-alfabetizado. Accessed December 22, 2016.

[210] http://unesdoc.unesco.org/images/0024/002446/244673POR.pdf. Accessed December 22, 2016.

[211] http://www.fnde.gov.br/bolsas-e-auxilios/bolsas-e-auxilios-programas/bolsas-auxilios-projovem. Accessed December 22, 2016.

[212] http://www.todospelaeducacao.org.br/sala-de-imprensa/releases/32460/brasil-tem-936-das-criancas-e-jovens-de-4-a-17-anos-na-escola. Accessed December 22, 2016.

[213] http://www.incra.gov.br/educacao_pronera. Accessed October 7, 2016.

[214] http://www.incra.gov.br/sites/default/files/uploads/reforma-agraria/projetos-e-programas/pronera/manual_pronera_-_18.01.16.pdf. Accessed December 22, 2016.

[215] http://www.sdh.gov.br/assuntos/direito-para-todos/programas/educa. Accessed July 20, 2016.

[216] http://www.mma.gov.br/clima/politica-nacional-sobre-mudanca-do-clima. Accessed December 22, 2016.

[217] http://www.brasil.gov.br/meio-ambiente/2016/09/brasil-ratifica-acordo-de-paris-nesta-segunda-12. Accessed December 22, 2016.

[218] In the field of legislation, the launching of the Rural Environmental Enrolment platform, created by Law No. 12,651/2012 (New Forest Code), should be highlighted. It allows a detailed charting of the degraded areas in the country and it assists the corresponding environmental recovery process. Law No. 13,123/2015 (Biodiversity Law) establishes new guidelines for access to genetic heritage and to traditional knowledge in accordance with the rules established by the United Nations Convention on Biological Diversity (CBD).

[219] The working group will consider the UN Guiding Principles on Business and Human Rights, the recommendations to Brazil of the UN Working Group on Business and Human Rights after their visit to Brazil in 2015, as well as other international regulations, such as the ILO Conventions and the 2030 Agenda for Sustainable Development.

[220] The infrastructure include stadiums, airports, ports, projects of urban mobility, security, telecommunications and tourism.

[221] http://www.brasil.gov.br/esporte/2015/06/copa-das-copas-deixa-legado-historico-para-o-pais. Accessed October 6, 2016.

[222] http://www.brasil.gov.br/cidadania-e-justica/2014/06/dilma-convida-pessoas-a-se-engajarem-na-copa-sem-racismo. Accessed December 22, 2016.

[223] http://www.brasil.gov.br/esporte/2016/06/integracao-urbana-e-um-dos-maiores-legados-da-rio-2016. Accessed October 7, 2016.

[224] The infrastructure related to mobility, accessibility, transportation, urbanization and sanitation works.

[225] http://www.brasil2016.gov.br/pt-br/pais-sede/investimentos-federais. Accessed October 6, 2016.

[226] http://www.esporte.gov.br/index.php/cie. Accessed October 6, 2016.